IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

LA.App.No. 1919 of 2002

LAR.51/1987 of II ADDL.SUB COURT,TRIVANDRUM
.....

APPELLANT/RESPONDENT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

RESPONDENTS/CLAIMANTS:
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1. **MAMMAN PILLAI, MAITHEEN KANNU,**
   KINATTADIVALIKATHU VEEDU, VIZHINJAM.

Addl. 2. MAITHEEN KANNU AHAMMED KANNU,
ASMARA MANZIL, KINATTADIVILEKATHU VEEDU,VIZHINJAM.

3. **MAITHEEN KANNU MUHAMMED KANNU,**
   AGED 49 YEARS OF -DO-

4. **MAITHEEN KANNU JAWAHARDHEEN,**
   AGED 42 YEARS OF -DO-

5. **MAITHEEN KANNU NAZAR MAITHEEN,**
   AGED 38 YEARS OF -DO-

BY ADV. SRI. M. RAJASEKHARAN NAIR

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

C.M.P. NO. 7317 OF 2002
IN
L.A.A. NO. 1919 OF 2002

Dated this the 3rd day of October, 2007.

O R D E R

Kurian Joseph, J.

This is a petition to condone the delay of 1478 days in filing the appeal. It is seen that the appeal is filed against the judgment and decree in L.A.R. No. 51/1987 on the file of II Additional Sub Court, Thiruvananthapuram. Acquisition is for the purpose of Vizhinjam Fishing Harbour Project. Section 4(1) notification is dated 21.12.1982.

2. The Land Acquisition Officer fixed the land value at the rate of Rs. 5,651/- per Are and the reference court enhanced the same to Rs. 10,677/- per Are. It is seen that this Court has dismissed the appeals in connected matters by judgments in L.A.A. Nos. 512/1996, 766/1992 and 971/1994.

Therefore, on merits we do not find any ground to interfere. Hence, the application for condonation of delay and the appeal are dismissed.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE

smp

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO. 1919 OF 2002

Dated this the 3rd day of October, 2007.

J U D G M E N T

Kurian Joseph, J.

In view of the order in C.M.P. No. 7317 of 2002 in L.A.A. No. 1919 of 2002 dated 03.10.2007, this appeal is dismissed.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE

smp

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A. NO. 1919 OF 2002

J U D G M E N T

03.10.2007